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8 Attorneys for Defendant  
9 **QUEST DIAGNOSTICS INCORPORATED**

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**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**  
**WESTERN DIVISION**

MEDSQUIRE, LLC

Plaintiff,

vs.

SPRING MEDICAL SYSTEMS,  
INC.; QUEST DIAGNOSTICS, INC.;  
NEXTGEN HEALTHCARE  
INFORMATION SYSTEMS, INC.;  
HENRY SCHEIN MEDICAL  
SYSTEMS, INC.; HEWLETT-  
PACKARD COMPANY; APRIMA  
MEDICAL SOFTWARE, INC.;  
eCLINICALWORKS, LLC;  
MED3000, INC.; PULSE SYSTEMS,  
INC.; COMPULINK BUSINESS  
SYSTEMS, INC.; NEXTECH  
SYSTEMS, INC.; NAVINET, INC.;  
successEHS, INC.; athenaHEALTH,  
INC.

Defendants.

**Case No. CV11-4504-JHN (PLAx)**

**RE-NOTICE OF DEFENDANT  
QUEST DIAGNOSTICS, INC.'S  
MOTION AND MOTION TO  
DISMISS UNDER FED. R. CIV. P.  
12(b)(6)**

Old Date: August 22, 2011

**New Date:** September 12, 2011

Time: 2:00 p.m.

Courtroom: 790

Judge: Hon. Jacqueline H. Nguyen

1                   **TO PLAINTIFF AND COUNSEL OF RECORD**

2                   **WHEREAS** on July 18, 2011, Defendant Quest Diagnostics Incorporated  
3 ("Quest") filed a Motion to Dismiss Plaintiff Medsquire LLC's ("Plaintiff" or  
4 "Medsquire") Complaint under Fed. R. Civ. P. 12(b)(6) for failure to state a claim  
5 (Doc. No. 41) ("Motion"), which is incorporated herein by reference;

6                   **WHEREAS** the hearing on the Motion was previously noticed for August 22,  
7 2011, at 2:00 p.m. to be heard in the Courtroom of the Hon. Jacqueline H. Nguyen,  
8 located at Courtroom 790, Roybal Federal Building, 255 East Temple Street, Los  
9 Angeles, CA 90012 (*see* Doc. No. 41);

10                  **WHEREAS** various defendants have joined the Motion<sup>1</sup>;

11                  **WHEREAS** on August 1, 2011, Plaintiff filed an Opposition to the Motion  
12 (Doc. No. 65);

13                  **WHEREAS** counsel for Plaintiff has requested that the hearing be rescheduled  
14 as he is scheduled to be out of the country on August 22, 2011, and counsel for Quest  
15 has agreed to reschedule; and

16                  **WHEREAS** the Court's next available hearing date after August 22, 2011, is  
17 September 12, 2011,

18                  **PLEASE TAKE NOTICE THAT** the hearing date on Quest's Motion, which  
19 was previously noticed for August 22, 2011, has been re-set for **September 12, 2011**  
20 **at 2:00 p.m.**, or soon thereafter as the matter may be heard in the Courtroom of the  
21 Hon. Jacqueline H. Nguyen, located at Courtroom 790, Roybal Federal Building, 255  
22 East Temple Street, Los Angeles, CA 90012.

23                  Quest's Motion is based on its previously filed notice, the accompanying  
24 memorandum of points and authorities, the accompanying declaration of D. James

25  
26                  <sup>1</sup> The defendants joining in Quest's motion are Hewlett-Packard Company, Nextgen  
27 Healthcare Information Systems, Henry Schein Medical Systems, EClinical Works,  
28 Med3000, Pulse Systems, Compulink Business Systems, Navinet, SucessEHS,  
AthenaHealth, and Aprima Medical Software.

1 Pak and exhibits attached hereto, the proposed order filed concurrently herewith, the  
2 pleadings and records on file in this action, other matters of which the Court may take  
3 judicial notice, and such matters as may be presented at the hearing on the motion.

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5 Dated: August 1, 2011 BAKER & MCKENZIE LLP

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7 By: /s/D. James Pak

8 D. James Pak  
9 Attorney for Defendant  
QUEST DIAGNOSTICS INCORPORATED.

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